

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

JONES et al.,

Plaintiffs,

v.

VARSITY BRANDS et al.,

Defendants.

Case No. 2:20-cv-02892-SHL-cgc

**JOINT MOTION TO PERMIT THE DEPOSITION OF DEFENDANT JEFF WEBB TO
BE TAKEN AFTER THE CLOSE OF FACT DISCOVERY, SUPPORTING
MEMORANDUM AND CERTIFICATE OF CONSULTATION**

The Parties, through their respective counsel of record, move this Honorable Court to permit the deposition of Defendant Jeff Webb (“Webb”) to be taken after the close of fact discovery in the above-captioned matters and all other matters subsequently consolidated with them (collectively, the “Actions”). In support of this motion, the Parties states as follows:

1. The close of fact discovery is April 18, 2022. [ECF No. 175].
2. Lead counsel for Mr. Webb will be representing a client in a criminal trial specially set for April 4, 2022 in the United States District Court for the Eastern District of Texas. The trial is expected to last at least two weeks. Proposed dates for a deposition of Mr. Webb, prior to the close of discovery, conflict with lead counsel’s trial setting.

3. Accordingly, the parties propose to take the deposition of Mr. Webb after the discovery deadline on a mutually agreeable date.

4. All Parties consent to the relief requested in this Motion.

5. Plaintiffs in Fusion Elite All Stars, et al. v. Varsity Brands, LLC, et al., Case No. 2:20-cv-02600-SHL-cgc; and American Spirit v. Varsity Brands, Case No. 2:20-cv-02782-SHL-cgc will cross notice this deposition and do not object to this Motion.

WHEREFORE, the Parties respectfully move this Court to allow the Parties to take the deposition of Defendant Jeff Webb after the close of fact discovery, but no later than May 13, 2022, and for further relief to which they may be entitled.

The undersigned hereby certifies that on March 10, 2022, pursuant to Local Rule 7.2(a)(1)(B), the Parties consulted regarding the issues raised in this motion, and all Parties consent to the relief requested.

A proposed order granting the Joint Motion to Permit the deposition of Defendant Jeff Webb to be taken after the close of fact discovery is being emailed to Judge Lipman.

Dated: March 14, 2022

By: /s Joseph R. Saveri

Joseph R. Saveri*
Steven N. Williams*
Ronnie Seidel Spiegel*+
Kevin Rayhill*
Katharine A. Malone*
Anna-Patrice Harris*
JOSEPH SAVERI LAW FIRM, LLP
601 California Street, Suite 1000
San Francisco, California 94108
Telephone: (415) 500-6800
Facsimile: (415) 395-9940
jsaveri@saverilawfirm.com
swilliams@saverilawfirm.com
krayhill@saverilawfirm.com
rspiegel@saverilawfirm.com
kmalone@saverilawfirm.com
aharris@saverilawfirm.com

Van Turner (TN Bar No. 22603)
BRUCE TURNER, PLLC
2650 Thousand Oaks Blvd., Suite 2325
Memphis, Tennessee 38118
Telephone: (901) 290-6610
Facsimile: (901) 290-6611
Email: vturner@bruceturnerlaw.net

Richard M. Paul III*
Sean R. Cooper*
Ashlea Schwarz*
PAUL LLP
601 Walnut, Suite 300
Kansas City, Missouri 64106
Telephone: (816) 984-8100
rick@paulllp.com
sean@paulllp.com
ashlea@paulllp.com

Jason S. Hartley*
HARTLEY LLP
101 West Broadway, Suite 820
San Diego, CA 92101
Telephone: (619) 400-5822
hartley@hartleyllp.com

Daniel E. Gustafson*
Daniel C. Hedlund*
Daniel J. Nordin*
GUSTAFSON GLUEK PLLC
Canadian Pacific Plaza
120 South Sixth Street, Suite 2600
Minneapolis, MN 55402
Telephone: (612) 333-8844
Facsimile: (612) 339-6622
dgustafson@gustafsongluek.com
dhedlund@gustafsongluek.com
dnordin@gustafsongluek.com

*Attorneys in the Jones Action for Individual and
Representative Plaintiffs*

** Admitted pro hac vice*

+ Located in Washington State

Dated: March 14, 2022

By: /s Matthew S. Mulqueen

George S. Cary*
Steven J. Kaiser*
Linden Bernhardt*
CLEARY GOTTLIEB STEEN & HAMILTON LLP
2112 Pennsylvania Ave., NW
Washington, DC 20037
Tel: (202) 974-1500
gcary@cgsh.com
skaiser@cgsh.com
lbernhardt@cgsh.com

* Admitted *pro hac vice*

Jennifer Kennedy Park*
Heather Nyong'o*
CLEARY GOTTLIEB STEEN & HAMILTON LLP
1841 Page Mill Road, Suite 250
Palo Alto, CA 94304
Phone: (650) 815-4100
Fax: (202) 974-1999
jkpark@cgsh.com
hnyongo@cgsh.com

* Admitted *pro hac vice*

Adam S. Baldridge (TN #23488)
Matthew S. Mulqueen (TN #28418)
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC
165 Madison Ave., Suite 2000
Memphis, TN 38103
Tel: (901) 577-8166
abaldridge@bakerdonelson.com
mmulqueen@bakerdonelson.com

Attorneys for Varsity Brands, LLC; Varsity Spirit, LLC; Varsity Spirit Fashions & Supplies, LLC; Charlesbank Capital Partners, LLC; and Bain Capital Private Equity, LP

Dated: March 14, 2022

By: /s Nicole D. Berkowitz

Grady Garrison (TN 8097)
Nicole D. Berkowitz (TN #35046)
BAKER, DONELSON, BEARMAN,
CALDWELL & BERKOWITZ, PC
165 Madison Ave., Suite 2000
Memphis, TN 38103
Tel: (901) 577-8166
ggarrison@bakerdonelson.com
nberkowitz@bakerdonelson.com

Attorneys for U.S. All Star Federation, Inc.

Dated: March 14, 2022

By: /s Paul Coggins

Paul E. Coggins*
Brendan P. Gaffney*
Kiprian E. Mendrygal*
Jennifer McCoy*
LOCKE LORD LLP
2200 Ross Avenue, Suite 2800
Dallas, TX 75201
Phone: (214) 740-8000
Fax: (214) 740-8800
pcoggins@lockelord.com
bgaffney@lockelord.com

* Admitted *pro hac vice*

Edward L. Stanton III (TN Bar #018904)
BUTLER SNOW LLP
6075 Poplar Avenue, Suite 500
Memphis, Tennessee 38119
Telephone: (901) 680-7336
Facsimile: (901) 680-7201
Edward.Stanton@butlersnow.com

Attorneys for Jeff Webb

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document has been served on all counsel of record via the Court's CM/ECF system on this 14th day of March, 2022.

/s/ Paul E. Coggins

Paul E. Coggins